

# State of South Dakota

## SEVENTY-SEVENTH SESSION LEGISLATIVE ASSEMBLY, 2002

949H0662

### HOUSE BILL NO. 1263

Introduced by: Representatives Klaudt, Adelstein, Brown (Jarvis), Burg, Clark, Frysliie, Garnos, Hennies (Thomas), Kooistra, Lange, Lintz, McCaulley, McCoy, Monroe, Murschel, Napoli, Olson (Mel), and Sutton (Duane) and Senators Apa, Bogue, Greenfield, and Koskan

1 FOR AN ACT ENTITLED, An Act to revise the authority for state expenditures.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 4-8-19 be amended to read as follows:

4 4-8-19. All unexpended annual appropriations at the end of the fiscal year covered by the  
5 general appropriations act which have not been contractually obligated in writing and approved  
6 by the commissioner of finance and management prior to the end of the fiscal year, shall lapse  
7 and cease to be available, and shall revert to the fund from which appropriated. Such encumbered  
8 amounts shall be only available for such expenditure for a period of not to exceed ~~two fiscal~~  
9 ~~years as determined by the commissioner of finance and management~~ six months after the end  
10 of the fiscal year.

11 Section 2. That § 4-8-21 be amended to read as follows:

12 4-8-21. At the end of ~~four~~ one full fiscal ~~years~~ year following the effective date of any special  
13 appropriations act, unless such act explicitly states to the contrary, the amount of the  
14 appropriation remaining unexpended and which has not been contractually obligated in writing,



1 and approved by the commissioner of finance and management prior to the end of the fiscal year,  
2 shall lapse and cease to be available, and revert to the fund from which appropriated. Such  
3 encumbered amounts shall be only available for such expenditure for a period of not to exceed  
4 ~~two additional fiscal years as determined by the commissioner of finance and management~~ six  
5 months after the end of the fiscal year.

6 Section 3. That § 4-8-22 be amended to read as follows:

7 4-8-22. Any moneys appropriated for maintenance and repair shall be available for  
8 expenditure for ~~two~~ one full fiscal ~~years~~ year following the effective date such appropriation was  
9 available for expenditure, at which time, the unexpended balances of such appropriations which  
10 have not been contractually obligated in writing and approved by the commissioner of finance  
11 and management prior to the end of the fiscal year, shall revert to the fund from which the  
12 appropriation was made. Such encumbered amounts shall be only available for such expenditure  
13 for a period of not to exceed ~~two additional fiscal years as determined by the commissioner of~~  
14 ~~finance and management~~ six months after the end of the fiscal year.

15 Section 4. That chapter 4-8A be amended by adding thereto a NEW SECTION to read as  
16 follows:

17 All requests by state departments and institutions to encumber amounts equal to or greater  
18 than two hundred fifty thousand dollars shall be submitted to the special committee for its  
19 consideration and disposition.